

104
Docket No. 740270-2662

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

J1036 U.S. PRO
09/77953
02/07/01



In re NEW PATENT Application of)
David L. BUCHANAN et al.) **Box Patent Application**
Serial No. (To Be Assigned))
Filed: February 7, 2001)
For: FUEL INJECTOR HAVING A NOZZLE)
WITH IMPROVED COOLING) Dated: February 7, 2001

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the provisions of 37 C.F.R. 1.56 and 37 C.F.R. 1.97-1.99, it is requested that the reference(s) listed on the attached Form PTO-1449 be made of record in the above-identified application.

A discussion of U.S. Patent No. 5,441,027 to Buchanan et al.; Australian Patent No. 204195 to Meurer and U.S. Patent No. 5,860,394 to Saito et al. is given in the specification at pages 1-3.

Austrian Patent No. 188969 corresponds to Australian Patent No 204195, which is in English. English translations of relevant portions of German Patent No. 2725707 and German Patent No. 3831991 are also provided.

Copies of the references are submitted herewith in accordance with 37 C.F.R. 1.98(a).

It is respectfully requested that an Examiner initialed copy of the Form PTO-1449 be returned to the undersigned.

Respectfully submitted,



Daniel S. Song
Daniel S. Song
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J1036 U.S. PTO
09/777953
02/07/01



NOTICE TO INVENTOR

DUTY OF DISCLOSURE AND INVENTORSHIP

TO: David L. Buchanan, Lester L. Peters, and C. Edward Morris
FROM: Daniel S. Song
DATE: January 24, 2001
SUBJECT: FUEL INJECTOR HAVING A NOZZLE WITH IMPROVED COOLING

Enclosed please find the draft of your patent application.

Before executing the application, you should know that the U.S. Patent and Trademark Office (Patent Office) imposes a duty of good faith and candor on inventors. Included is the duty to disclose all information you know of that is material to the patent application.

"Information" is considered material by the Patent Office if it, taken by itself or in combination with other information, could show unpatentability when the claims are given their broadest reasonable interpretation or could be considered inconsistent with a position taken by the applicant(s) to show patentability. "Information" must be forwarded to the Patent Office despite the fact that other information could establish patentability, such as commercial success data or comparative test results. Some examples of such "information" are:

- prior published patents, articles, product announcements, technical reports, or lectures;
- evidence that the claimed invention was in public use, demonstrated publicly, or on sale more than one year before the filing date of the U.S. application;
- information that the claimed invention was made in the U.S. by someone other than the inventor named in the application;
- related pending patent applications known to you.

Materiality of information of the type exemplified by, but not limited to that listed above, is measured by the scope of the claims in an application, particularly the broadest claims. Therefore, your attention is particularly directed to claims 1, 12 and 22, which you should carefully read and fully understand.

To comply fully with the duty of disclosure imposed by the Patent Office, you should notify us of any further material information pertinent to the claimed invention which would add to the prior art discussed in the Background Art section of your application.

If you first have any questions regarding your application, the scope of the claims therein, or your obligations as an inventor, call me as soon as possible. Additionally, the correct inventors must be named in a patent application or the resulting patent can be declared invalid. An inventor is defined as one who conceives of the solution to a problem; the solution is the invention. The invention is legally defined in the claims of the patent application which are located at the end of the application. Please make sure you understand the claims and contact us if you have any questions. As further guidance regarding inventorship, an inventor must make some contribution to the inventive thought and final result, although conception of the entire solution is not required. Merely suggesting a desired result without suggesting means for attaining the result, or merely following the instructions or directions of others is insufficient. Joint inventors need not work physically together with each other although some form of collaboration between joint inventors during development of the invention is required. Joint inventors need not make identical contributions nor contribute to the subject matter of every claim, but an inventor must contribute to the subject matter of at least one claim. If you are still unclear as to who is an inventor, please contact us.

ACKNOWLEDGEMENT

I am aware that the Patent and Trademark Office has imposed on inventors a duty of good faith and candor, including a duty to disclose any material information relating to my application. I am also aware that only the correct inventors may be named as such. I hereby acknowledge that, to the best of my knowledge and belief, I have disclosed to Daniel S. Song, all such material information.

1/30/01
Date

David L Buchanan
David L. Buchanan

1/30/01
Date

Lester L Peters
Lester L. Peters

1/30/01
Date

C. Edward Morris
C. Edward Morris

Please return this acknowledgement, along with the executed patent application, promptly. If you first have any questions regarding your application, the scope of the claims therein, or your obligations as an inventor, call me as soon as possible.